

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 "E" Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING

concerning

**TENTATIVE ORDERS
AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER R5-2013-0047 (NPDES PERMIT NO. CA0081485)
AND TIME SCHEDULE ORDER R5-2013-0048
FOR
CUTLER-OROSI JOINT POWERS WASTEWATER AUTHORITY
WASTEWATER TREATMENT FACILITY
TULARE COUNTY**

The Cutler-Orosi Joint Powers Wastewater Authority (Discharger) is the owner and operator of a wastewater treatment facility (Facility), which is a Publicly-Owned Treatment Works (POTW). The Facility is in Cutler at 40401 Road 120. Order R5-2013-0047 permits the Discharger to discharge either disinfected or undisinfectated secondary treated wastewater to surrounding cropland or disinfected secondary treated wastewater to Sand Creek, a water of the United States. Time Schedule Order (TSO) R5-2013-0048 grants the Discharger a time schedule to come into compliance with the copper effluent limitations included in Order R5-2013-0047.

The Discharger submitted a letter dated 16 September 2013 to the State Water Resources Control Board, Division of Drinking Water (Division of Drinking Water), requesting the relaxation of various recycled water setback distances included in Order R5-2013-0047. The Division of Drinking Water submitted a letter, dated 31 January 2014, concluding certain setback distances could be relaxed. Therefore, the proposed order amending Order R5-2013-0047 removes the recycled water setback distance requirements for property lines and roadways, relaxes the recycled water setback distance requirement for irrigation wells, and modifies the setback distance requirement for watercourses. Furthermore, in response to an additional request from the Discharger, the proposed order amending Order R5-2013-0047 also includes modifications to three other specifications related to the application of recycled water.

Order R5-2013-0047 includes copper effluent limitations based on criteria calculated using a default water effluent ratio (WER) of 1.0. The Discharger submitted the results of a final water effluent ratio (WER) study for copper on 2 July 2014 as required by TSO R5-2013-0048. The July 2014 WER Study concluded that a WER of 3.1 for copper is applicable to the Facility's discharge to Sand Creek. Therefore, the proposed amendment orders revise both Order R5-2013-0047 and TSO R5-2013-0048 to incorporate a copper WER of 3.1 instead of 1.0 and to correspondingly relax the applicable copper effluent limitations in Order R5-2013-0047.

A public hearing concerning these matters will be held during the Central Valley Water Board meeting scheduled for:

DATE: 16/17 April 2015
TIME: 8:30 a.m. or 9:00 a.m.
PLACE: Central Valley Regional Water Quality Control Board, Fresno Office
1685 E Street
Fresno, CA 93706

The designated parties for this hearing are as follows:

- Cutler-Orosi Joint Powers Wastewater Authority

Designated parties, but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation, and cross-examine opposing witnesses.

Interested persons may not cross-examine witnesses and will not be subject to cross-examination. Interested persons may submit evidence (e.g., photographs, eyewitness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5 p.m. on 2 March 2015**. The request must explain the basis for status as a designated party and, in particular, how the person is affected by the discharge.

Both tentative amendment orders will be issued on 23 January 2015. Persons or parties wishing to comment on these hearing items must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board via email to centralvalleyfresno@waterboards.ca.gov no later than **5 p.m. on 2 March 2015**. **Comments should be limited to the proposed changes in the tentative amendment orders only.** Testimony, evidence, and/or written comments submitted after **5 p.m. on 2 March 2015** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. A person or party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board hearing and are expected to orally summarize their written submittals. Oral testimony and cross-examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff, or others at the discretion of the Central Valley Water Board.

Anyone having questions regarding the tentative amendment orders for Order R5-2013-0047 and TSO R5-2013-0048 should contact Mr. Alex Mushegan at (559) 488-4397 or at Alexander.Mushegan@waterboards.ca.gov. Persons or parties may download the tentative amendment orders and related documents from the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 "E" Street, Fresno, California 93706, weekdays between 8:00 a.m. and 5:00 p.m.

The final Central Valley Water Board meeting agenda will be available at: http://www.waterboards.ca.gov/centralvalley/board_info/meetings/index.shtml#2015 at least ten days before the meeting. The agenda will provide the specific date(s)/time the hearing will be held, will indicate the anticipated order of agenda items, and may include staff revisions to the tentative amendment orders.

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TULARE COUNTY

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The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

22 January 2015



LONNIE M. WASS, SUPERVISING ENGINEER